

## REMARKS

Applicant would like to thank the Examiner for the indication that Claims 9-14 are allowable. Claims 9-14 and 23-30 are currently pending.

Claim 23 has been rejected under 35 U.S.C. 102(b) as being anticipated by Cox (5,338,300).

Cox describes a perfusion adaptor for use with balloon catheters. In the example of FIG. 1 of Cox, the adaptor 30 is positioned on a positioning member 34 or shaft for movement within a lumen. The adaptor can be advanced to be positioned along side the balloon 54 of a separate balloon catheter if the balloon is to remain inflated for long periods and blood flow passed the balloon is desired. The adaptor 30 provides a channel for blood flow around the balloon. Other shaped adaptors are also shown in Cox. However, each of these adaptors must be longitudinally movable with respect to the balloon catheter to perform the methods described by Cox. For example, Cox states "a physician advances hollow member 32 adjacent balloon 54 by applying an appropriate longitudinal force to positioning member 34." (Cox, column 6, lines 33-35)

Claim 23 has been amended to recite that the guide member is connected to the catheter by a connection restricting axial movement between the guide member and the catheter. This amendment clarifies the manner in which the guide member of Claim 23 is connected to the balloon.

Cox clearly does not describe a guide member connected to a catheter in the manner now claimed. Further, it would not be obvious to modify the adaptor of Cox to connect it to the catheter since such a connection would prevent the Cox adaptor from being advanced to perform as described. For these reasons, Claims 23- 27 are allowable over Cox.

New Claims 28-30 have been added. Independent Claim 28 corresponds substantially to Claim 26 rewritten in independent form. Claim 28 recites, in part, "a guide member received on a side of the balloon and connected to the catheter by a fastener."

With respect to Claim 26, the Office Action states "the use of a fastener or fasteners in combination with a catheter is conventional in the art as evidenced by the teachings of Wilson, Solar, and Ndondo-Lay et al...Accordingly, for a person of ordinary skill in the art, the modification of the Cox catheter with the various loop/fastener designs taught by Wilson,

Solar, and Ndondo-Lay et al. would have been considered obvious design alternatives.”

(Office Action, page 4, last paragraph +)

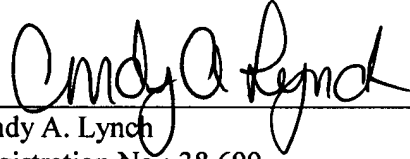
Applicant respectfully disagrees. The use of a fastener as claimed to connect the adaptor to the balloon of Cox would prevent the longitudinal movement there between and destroy the function of the Cox device. Accordingly, Claims 28-30 are allowable.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below. The Commissioner is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-3100.

Dated: May 27, 2004

Respectfully submitted,

By  \_\_\_\_\_

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